

**TRIBAL COUNCIL AND OGEMA ETHICS ORDINANCE**  
Ordinance # 06-100-10

**Article I. Purpose; Findings**

1.01. *Purpose.* This Code is intended to create a base from which all persons are expected to work upwards and strive to work toward improving the health, safety and welfare of the Little River Band of Ottawa Indians, citizens of the Tribe, employees of the Tribe, and persons living in and around the jurisdiction of the Little River Band of Ottawa Indians.

1.02. *Findings.* The Tribal Council of the Little River Band of Ottawa Indians finds that:

a. the Constitution of the Little River Band of Ottawa Indians delegates to the Tribal Council the responsibility to "...exercise the inherent powers of the Little River Band by establishing laws through the enactment of ordinances and adoption of resolutions not inconsistent with this Constitution:

1. to govern the conduct of members of the Little River Band and other persons within its jurisdiction;

2. to promote, protect and provide for public health, peace, morals, education and general welfare of the Little River Band and its members[.]” *Article IV, Section 7(a).*

b. the policy of the Little River Band of Ottawa Indians is to promote the highest ethical conduct in all of its elected and appointed officials.

c. setting ethical standards by ordinance for the Tribal Council members and the Ogema is a responsibility of the Tribal Council, *Article IV, Section 6(e) and Section 7.*

**Article II. Adoption; Amendment; Repeal; Severability**

2.01. *Adoption.* This Ordinance is adopted by Tribal Council resolution # 06-0920-655.

2.02. *Amendment.* This Ordinance may be amended in accordance with the procedures set forth in the Administrative Procedures Act - Ordinances.

2.03. *Repeal.* This Ordinance may be repealed in accordance with the procedures set forth in the Administrative Procedures Act - Ordinances.

2.04. *Severability.* If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

**Article III. Definitions**

3.01. *Definitions.* For purposes of this Ordinance, certain terms are defined in this Article. The word “shall” is always mandatory and not merely advisory.

3.02. *Councilor* means an individual member of Tribal Council.

3.03. *Tribal Council* means the elected body identified in Article IV of the Constitution of the Little River Band of Ottawa Indians.

3.04. *Removal* means the reasons for, and processes outlined, in Article IX of the Constitution of the Little River Band of Ottawa Indians.

3.05. *Ogema* means the member elected or appointed to hold the office of Ogema identified in Article V of the Constitution of the Little River Band of Ottawa Indians.

3.06. *Elected Official*, for purposes of this ordinance, means a Councilor or the Ogema.

#### **Article IV. Ethical Standards**

4.01. *General Application*. Elected officials shall be subject to the Code of Ethics as set forth herein and to the intent of the code as set forth above.

4.02. *Ethical Conduct*. The concept of ethical conduct encompasses action as well as inaction, and represents an area of self regulation. Provided further, that it is the policy of elected officials to demonstrate the highest standards of personal integrity, truthfulness, honesty, and fortitude in all public activities in order to inspire public confidence and trust in the government and governmental officials of the Little River Band of Ottawa Indians.

4.03. *Constituents; Co-Officials; Employees*. The following shall govern the interaction between elected officials, their constituents, co-officials, and administrative staff:

a. An elected official shall respect and comply with the laws and traditions of the Tribe and shall at all times act in a manner that promotes public confidence in the honesty and impartiality of government officials and shall avoid actions which call into questions the honesty and impartiality of government officials, including but not limited to:

1. allowing influence of conduct by family, social or other personal relationships;
2. using prestige of the office to advance private interests of others; and/or
3. conveying use of special influence or being specially influenced.

b. An elected official shall use the following standards in relation to the duties of office.

1. Adhere to the laws, customs, and traditions of the Tribe.
2. Be patient, dignified and courteous to constituents, co-officials, and others with whom the official interacts with in an official capacity, and shall require similar conduct of others in official proceedings and those administrative staff subject to the elected official's discretion and control.
3. Give to every person who is interested in an action time to be heard.

c. An elected official shall protect the confidential information to which they have access in the course of official duties, and be prudent in the use of information acquired in the course of their duties. Further, they shall not use confidential information for any personal gain, or in a manner which would be detrimental to the welfare of the Tribe.

4.04. *Extra Governmental Activities*. An elected official shall regulate their extra governmental activities to minimize the risk of conflict with duties of their office.

4.05. *Financial Dealings*. An elected official shall maintain a distance in financial dealings that would tend to reflect an influence for personal gain, including, but not limited to:

- a. dealings that tend to reflect on their impartiality, interference with performance of governmental duties, or exploit the governmental office;
- b. involvement in businesses that have financial impact or other influence on tribal businesses or actions;
- c. granting, giving, or influencing the gift, bequest or loan of tribal services, property or monies outside of normal and traditional procedures.

Provided that, exceptions are allowed for laws and policies that directly allow the participation of an elected official, or where the traditions of the Tribe allow participation.

4.06. *Civic and Charitable Participation*. An elected official may participate in civic and charitable

activities that do not detract from the dignity of the office or interfere with the performance of official duties.

4.07. *Receiving Gifts.* An elected official may receive a gift as a result of being in an elected or appointed position. Provided that, any gift in excess of nominal value of \$50.00 shall be delivered to the Tribal Council with a memo or other form that identifies the recipient, their position, and the person and/or entity that gave the gift. The Tribal Council shall determine the disposition of the gift, which may include authorization of the recipient to keep the gift. All elected officials are required to report in writing to the Tribal Council, a description, amount and disposition of all gifts on a monthly basis.